

BILL NO. Z-73-08 -40

ZONING ORDINANCE NO. Z- 23-73

AN ORDINANCE amending the City of Fort  
Wayne Zoning Map No. G5

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
FORT WAYNE, INDIANA:

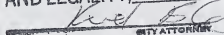
SECTION 1. That the area described as follows is  
hereby designated a R3 district under the terms of Chapter 36,  
Municipal Code of the City of Fort Wayne, Indiana, 1946, as  
amended by General Ordinance No. 2836 and amendments thereof,  
and the symbols of the City of Fort Wayne Zoning Map No. G5  
referred to therein, established by Section 9, Article III of  
said Chapter as amended are hereby changed accordingly, to-wit:

Lot 33 Curdes Homewood Acres,  
Lot 34 Curdes Homewood Acres

SECTION 2. This ordinance shall be in full force and  
effect from and after its passage and approval by the Mayor  
and legal publication thereof.

  
Councilman

APPROVED AS TO FORM  
AND LEGALITY,

  
CITY ATTORNEY

Read the first time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City County Building, Fort Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 197\_\_\_\_\_, at \_\_\_\_\_ o'clock P.M., E.S.T.

Date: 8-28-73

Charles M. Whitson  
CITY CLERK

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed on its passage.

Passed (~~lost~~) by the following vote:

	AYES <u>8</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT <u>1</u>	to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

DATE: 10/23/73

Charles M. Whitson  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 2-23-73 on the 23rd day of October, 1973.

Charles M. Whitson  
CITY CLERK

ATTEST: (SEAL)  
Winfield C. Moore Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 o'clock A. M., E.S.T.

Charles M. Whitson  
CITY CLERK

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P. M., E.S.T.

Joan A. Ream  
MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on August 28, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-08-40; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

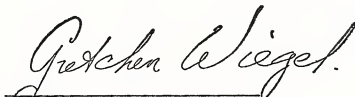
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on September 17, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held October 15, 1973.

Certified and signed this  
23rd day of October, 1973.

  
\_\_\_\_\_  
Gretchen Wiegel  
Secretary

Bill No. Bill No. Z-73-08-40

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance  
amending the City of Fort Wayne Zoning Map No. G5

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance also PASS.

John Nuckols - Chairman

Vivian G. Schmidt - Vice-Chairman

William T. Hinga

Paul M. Burns

Donald J. Schmidt

*John Nuckols*  
*Vivian G. Schmidt*  
*William T. Hinga*  
*Paul M. Burns*  
*Donald J. Schmidt*

CONCURRED IN

DATE 10-23-73 CHARLES W. WESTERMAN, CITY CLERK

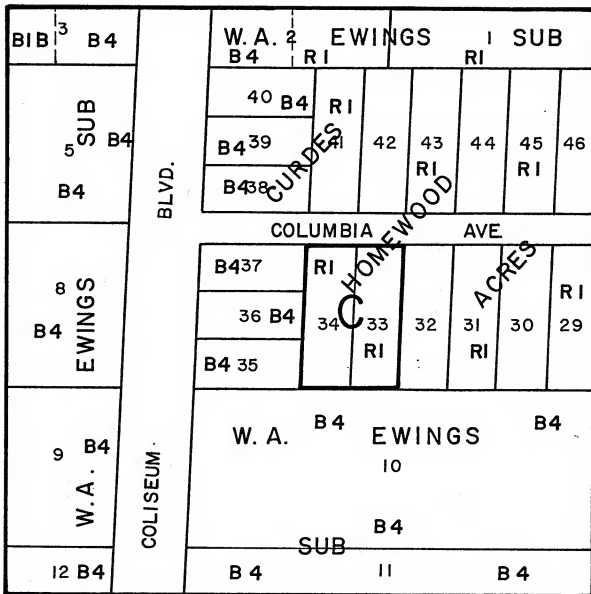
## RECEIPT

MAR 65

GENERAL FUND

N<sup>o</sup> 215FT. WAYNE, IND., August 9 1973RECEIVED FROM D. L. Roberts & Associates \$ 50<sup>00</sup>THE SUM OF Fifty 00/100 not DOLLARSON ACCOUNT OF Wayne - Lots 33, 34 Currier Homewood Acres  
From R-1 to R-3W. Hartmann

AUTHORIZED SIGNATURE



C-CHANGE FROM RI TO R3

Bill No. 7-73-08-40



RECEIPT FOR ZONING ORDINANCE AMENDMENT  
CITY OF FORT WAYNE, INDIANA

Receipt No. \_\_\_\_\_  
Date Filed \_\_\_\_\_  
Intended Use \_\_\_\_\_

I/We Koch Marketing Company (Formerly known as Hudson Oil Co. of Delaware)  
(Applicant's Name or Names)  
do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne,  
Indiana, by reclassifying from a/an R-1 District to a/an R-3  
District the property described as follows:

#15  
\_\_\_\_\_  
Lot 33 Curdes Homewood Acres

\_\_\_\_\_  
Lot 34 Curdes Homewood Acres

\_\_\_\_\_  
Instrument Number B-7116

\_\_\_\_\_  
Recorded November 11, 1968

\_\_\_\_\_  
(Legal Description)

\_\_\_\_\_  
(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one  
percentum (51%) or more of the property described in this petition.

Koch Marketing Company P.O. Box 2315  
Wichita, Kansas 67201

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Signature)

Legal Description Checked By: \_\_\_\_\_  
(City Engineer)

NOTE FOLLOWING RULES:

All requests for continuances or requests that ordinances be taken under ad-  
visement shall be filed in writing in the Office of the City Plan Commission  
by noon on the Wednesday preceding the meeting of the City Plan Commission  
at which the ordinance is to be considered. If the request for a continuance  
or advisement is filed within the required time, the matter will not be put  
on the agenda for that meeting. It shall be the obligation of the petitioner  
to notify the same property owners which the Plan Commission had notified by  
mail that the hearing has been postponed or rescheduled and inform them of  
the time and place of the meeting at which the ordinance will be considered.  
All withdrawals of ordinances must be made in writing prior to the Plan Com-  
mission's vote on the ordinance.

Name and address of preparer, attorney or agent:

D.L. Roberts  
(Name)

909 N. Coliseum Blvd.  
(Address)

743-3384  
(Telephone Number)

City Plan Commission, City-County Building, Room 800, One Main Street,  
Fort Wayne, Indiana 46802 Telephone Number 423-7571

DIGEST SHEETTITLE OF ORDINANCE Zoning Map Amendment Ordinance

2-73-08-40

DEPARTMENT REQUESTING ORDINANCE City Plan CommissionSYNOPSIS OF ORDINANCE Preparation of a Zoning Map Amendment OrdinancePetition initiated by property owners to rezone property located as follows:Lot # 33 Curdes Homewood Acres, Lot # 34 Curdes Homewood Acres /generally located on the south side of Columbia Avenue, approximately 300 feeteast of Coliseum Blvd.,From "R1" to "R3"EFFECT OF PASSAGE Property would be rezoned from One Family Residentialto Multiple Family Residential.EFFECT OF NON-PASSAGE Property would remain one family ResidentialMONEY INVOLVED (Direct Costs, Expenditures, Savings) None

ASSIGNED TO COMMITTEE (J.N.)

REG

LCC





CITY OF FORT WAYNE  
CITY-COUNTY BUILDING  
ONE EAST MAIN STREET  
FORT WAYNE, INDIANA 46802

CHARLES W. WESTERMAN  
CITY CLERK

October 26, 1973

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of October 29 & November 5, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana:

Amending the City of Fort Wayne  
Zoning Map No. G5 - Z-23-73  
Bill No. Z-73-08-40

Amending the City of Fort Wayne  
Zoning Map No. A17 - Z-22-73  
Bill No. Z-73-08-38

Amending the City of Fort Wayne  
Zoning Map No. CC24 - Z-21-73  
Bill No. Z-73-08-24

Amending the City of Fort Wayne  
Zoning Map No. JJ1 - Z-20-73  
Bill No. Z-73-08-22

Amending Sections 3 and 14 of  
the Zoning Ordinance of the City  
of Fort Wayne, Indiana, pertaining  
to the definitions of Group Homes  
and Half-Way Houses and for their  
locations in certain districts as  
permitted uses. G-26-73  
Bill No. G-73-09-14.

Respectfully,

CWW/ne  
ENCL: 5

Charles W. Westerman  
City Clerk

Common Council, City Fort Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

82 lines, 1 columns wide equals equivalent lines at 288¢  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

## DATA FOR COMPUTING COST

Width of single column 11 ems

Size of type 5½ point

Number of insertions two

Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date 11-7-73, 19

Title CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
Allen County

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two time s., the dates of publication being as follows:

October 29 and November 5, 1973

Subscribed and sworn to before me this 7th day of November 1973

My commission expires 1974

## ZONING ORDINANCE NO. Z-23-73

An Ordinance amending the City of Fort Wayne Zoning Map No. G5

Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill:

Bill No. Z-73-08-40

Be it ordained by The Common Council of the City of Fort Wayne, Indiana:

SECTION 1. That the area described as follows is hereby designated as R2 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1966, as amended by General Ordinance No. 2836 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. G5 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 33 Curdes Homewood Acres

Lot 34 Curdes Homewood Acres

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS, Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed in its passage. PASSED by the following vote:

Ayes: Eight Burns, Hingo, Moss, Nuckols, D. Schmidt, V. Schmidt, Sier, Talarico

Nays: None

Absent: One—Kraus

Date: 10-23-73

CHARLES W. WESTERMAN, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-23-73 on the 23rd day of October, 1973.

ATTEST: (Seal)

CHARLES W. WESTERMAN, City Clerk

WINFIELD C. MOSES, JR., Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBAMOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-23-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.

CHARLES W. WESTERMAN, City Clerk

**COMMON COUNCIL, CITY FORT WAYNE**  
(Governmental Unit)To.....NEWS-SENT INEL.....Dr.ALLEN

County, Ind.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

179282**COMPUTATION OF CHARGES**82 lines, 1 columns wide equals.....equivalent lines at......288¢  
cents per line\$ 23.62

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 23.62**DATA FOR COMPUTING COST**

Width of single column 11 ems

Size of type.....5½.....pointNumber of insertions.....two.....Size of quad upon which type is cast.....5½.....

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A.M. Hostman*Date 11-7-73

19

Title Clerk**PUBLISHER'S AFFIDAVIT**State of Indiana } ss:  
ALLEN CountyPersonally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of theNEWS-SENT INELa DAILY newspaper of general circulation printed and published in the English language in the city { of FORT WAYNE, INDIANAin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:October 29 and November 5, 1973Subscribed and sworn to before me this 7th day of November 1973.*A.M. Hostman*  
Notary PublicMy commission expires March 8th, 1974**ZONING ORDINANCE NO. Z-23-73**

An Ordinance amending the City of Fort Wayne Zoning Map No. 65. Notice is hereby given that on the 23rd day of October, 1973, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following Bill No. Z-23-73: Z-23-73 Zoning Map Ordinance, to wit:

Bill No. Z-23-73-00 Be it ordained by The Common Council of the City of Fort Wayne, Indiana:

SECTION 1. That the area described as follows is hereby designated as R3 district under the terms of Chapter 36, Municipal Code of the City of Fort Wayne, Indiana, 1946, as amended by General Ordinance No. 236 and amendments thereof, and the symbols of the City of Fort Wayne Zoning Map No. 65 referred to therein, established by Section 9, Article III of said Chapter as amended are hereby changed accordingly, to-wit:

Lot 34 Curdes Homewood Acres.

SECTION 2. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor and legal publication thereof.

JOHN NUCKOLS, Councilman

Read the third time in full and on motion by Nuckols, seconded by Talarico, and duly adopted, placed in its passage. PASSED by the following vote:

Ayes: Eight - Burns, Hingo, Moses, Nuckols, D. Schmidt, V. Schmidt, Stier, Talarico.

Votes: None  
Absent: One - Kraus

Date: 10-23-73

CHARLES W. WESTERMAN, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Zoning Map Ordinance No. Z-23-73 on the 23rd day of October, 1973.

ATTEST: (Seal)

CHARLES W. WESTERMAN, City Clerk

WINFIELD C. MOSES, JR., Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 24th day of October, 1973, at the hour of 10:30 A.M., E.S.T.

CHARLES W. WESTERMAN, City Clerk

Approved and signed by me this 24th day of October, 1973, at the hour of 3:00 o'clock P.M., E.S.T.

IVAN A. LEBANOFF, Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Zoning Map Ordinance No. Z-23-73 passed by the Common Council on the 23rd day of October, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 24th day of October, 1973, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 24th day of October, 1973.

CHARLES W. WESTERMAN, City Clerk